



Serial: 09/844,310

PATENT

Elect

#5

1/7/03

B Ross

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brandtjen, Jr., et al.

Serial No.: 09/844,310

Group Art Unit: 3721

Filed: April 27, 2001

Docket No.: 12275.0013USC1

Title: Improved Platen Press

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on December 13, 2002.

By: *Jeramie Keys*
Name: Jeramie J. Keys

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

RECEIVED

DEC 20 2002

TECHNOLOGY CENTER R3700

Dear Sir:

This communication is in response to the Office Action dated November 14, 2002. In that Office Action, the Examiner has set forth a restriction requirement. Invention I. includes claims 1-8 directed to a platen press device. Invention II. includes claims 9-15 directed to a method.

REMARKS

Applicants hereby traverse the restriction of the claims into Invention I. and Invention II. The Examiner has asserted that the device may be used to comminute various substances, such as rocks whereby establishing contact between the first and second platens is not necessary. Applicants assert that the method of claim 10 can be applied to the comminution of various substances as performed by the platen press of claim 1 to the extent comminution of certain various substances would result in approximate contact of the plates. Furthermore, the platen press of claim 1 produces force between the plates when used for comminution of substances, whether or not the plates are in approximate contact during the comminution, just as the